

Date: September 27, 2022 **To:** Governor Hogan

From: Maryland Bicycle & Pedestrian Advisory Committee

Subject: Recommended course of action on existing Nice/Middleton Bridge (US 301)

In accordance with the requirement stating the Maryland Bicycle and Pedestrian Advisory Committee (MBPAC), appointed by you, the Governor, advises the Administration on issues directly related to bicycling and pedestrian activity, the Committee, after repeated efforts to work with the Maryland Transportation Authority (MdTA), feels it necessary to communicate and provide advice directly to the Governor, specifically regarding the existing Nice/Middleton bridge span.

We do this to ensure you receive our complete and unfiltered advice and information to prevent irreversible harm, to include the broader community and perform a comprehensive evaluation of this once-in-a-generation opportunity to further enhance the legacy of the Hogan administration, or tarnish it, if ignored.

As you are aware, the Nice/Middleton bridge project is well underway, scheduled to open before your term as Governor ends. This project promised a separated bicycle and pedestrian facility, which was later discarded.

As your appointed Advisory Committee, we feel responsible to provide you with the following recommendations and advice in the best interests of the citizens of Maryland. Our rationale and additional explanation follow these recommendations. We would be glad to discuss this matter directly with you and your team, at your convenience.

Recommendations:

- 1. Immediately halt any demolition and deconstruction of the existing Nice/Middleton bridge span. Repair any deconstruction that may impact public safety.
- 2. Form a group to evaluate the potential for:
 - a. Retaining the existing span and dedicating it for bicycle and pedestrian transportation.
 - b. Avoiding the cost of demolition, estimated to be between \$15m and \$23m,
 - c. Repurposing the demolition funds for any necessary remediation or future upkeep,
 - d. Evaluating potential economic and tourism growth and opportunities the retained span may facilitate and balance that against the cost of future upkeep,
 - e. Identifying a long-term owner of the existing span,
 - f. Evaluating the environmental impacts and offsets of retaining the span as opposed to destroying it to create an artificial fish reef or oyster bed.
 - i. Include the unevaluated and undocumented impacts of explosive demolition that is not in the current environmental impact assessment, but now anticipated by MdTA
 - g. Include Maryland Transportation Authority (MdTA), Department of Natural Resources (DNR), Charles County, the Department of Commerce Office of



Tourism, appropriate external engineering and design experts and representatives for bicycling, walking and watermen,

h. Consider appropriately naming the retained and repurposed span to reflect leadership of this effort.

You and your administration have supported and grown both bicycle and pedestrian initiatives and opportunities, including creating the Outdoor Recreation office in DNR. We believe your intervention here would cement your leadership in these areas.

Background, Issues and Concerns:

The following language was included in the required environmental documents that were produced to get this project approved and started:

With the construction of a new four-lane bridge and two-way bike/ped path, there will no longer be a transportation need for the existing historic bridge. Therefore, Modified Alternate 7 includes removal of the existing bridge immediately following the opening of the new four-lane bridge to traffic.

Two options were considered: 1) retaining the bridge and taking it out of service, and 2) retaining the bridge and maintaining it as a bike/ped path.

The existing bridge could also be retained and serve as a bike/ped path. This would allow the bridge to continue to have a transportation function, which would make the annual costs to preserve the bridge more justifiable.

MdTA promised the separated bike path to win project approval, which thus also allowed for destruction of the old bridge. Then, MdTA broke this commitment by removing the path from the new bridge, without returning to retaining the existing bridge as a bike/ped path.

Forcing bikes in with motorized traffic on the new bridge, and prohibiting pedestrians entirely, was their choice to avoid any pedestrian accommodation and a separated facility as well.

After this decision was made, MdTA has stated that the existing span can not be retained for a variety of reasons – and this list seems to grow and creatively expand each time they are asked about revisiting the matter or letting others evaluate it independently.

Several significant individuals and organizations have requested an independent evaluation of retaining the span. Both major party candidates to succeed you as Governor have, on-record, stated they support delaying demolition to evaluate the benefits of keeping the span. Maryland's US Senators Cardin and Van Hollen, along with the Congressman Hoyer in whose district the bridge sits, wrote to MDOT asking for this evaluation and to halt demolition until this evaluation is completed.

At the August 31, 2022, meeting of the Board of Public Works, Comptroller Franchot asked Secretary Ports to reach out to interested parties and to again explore this issue.



Public safety:

We note that MdTA has said they have already started removing safety features from the existing span, even while cars and trucks continue to use the bridge. This strikes us as concerning and seems to be an effort to make it appear demolition is irreversible.

Accommodation for cyclists on the new span consists of a push button to activate overhead flashing lights and some signage to advise cars and 20-ton trucks that a person on a bicycle may be ahead – somewhere in the right lane of a 1.6-mile bridge posted at 50 miles per hour with no bailout space.

It is our position both bicyclists and pedestrians can easily and safely be accommodated by keeping the existing span, if evaluated to be viable. Funding continues to be available for bridge projects like this in Maryland as the state will receive more than \$400 million for bridge repair through RAISE grants and other federal infrastructure grants. These potential funds cannot be used if MdTA continues to destroy the existing span as fast as possible.

MdTA has also stated there are no nearby trail or on-road bike or ped facilities. In this they are currently correct, because no one has built a path or on-road connection to an existing bridge that does not currently permit bikes or pedestrians. However, the Potomac Heritage/Dahlgren Trail is less than two miles from the bridge on the Virginia side of the Potomac River. and could easily connect to the existing span, when pedestrian and bicycle use is allowed, as was considered in the Environmental Assessment. Further, the existing railroad line to the Morgantown coal fired power plant is an opportunity to create a rail/trail conversion. With the power plant closing this year, the decreased rail traffic on this line may be cause of abandonment and repurposing. This railroad line will connect all the way from Bowie to the existing Nice/Middleton bridge.

We point to the B&A Trail in Anne Arundel, the Capital Crescent Trail in Montgomery, the Western Maryland Rail Trail in Washington and Allegany and the Torrey C. Brown Trail in Baltimore as successful rail-to-trail conversion projects within the state which are now major attractions. The separated bicycle and pedestrian trail on the Woodrow Wilson Bridge attracts 275,000 users per year, the majority are walkers, who arrive by car just to walk the bridge.

The Department of Commerce Office of Tourism has determined that bicyclists and pedestrians who travel to use the C&O Canal National Historic Park and the Great Allegheny Passage generate more than \$100/day each in direct local economic spending. "Spending by visitors to the C&O Canal NHP surpassed \$309 million in 2019 resulting in more than \$253.5 million in total economic impact (value added) for the local area." A fraction of that economic impact would justify retaining the existing span. We believe the benefit of retaining the existing span and the potential trail connections should be fairly and independently evaluated. This is not an area MdTA has experience or expertise in and is now avoiding inclusion of those who do.

Bridge conversions for bike/ped use can be done and have become major attractions. The Walkway over the Hudson at Poughkeepsie is a massive tourism attraction. The Tappan Zee bridge replacement, a 3.6-mile span over the Hudson, 20 miles north of New Yor City, includes bike/ped accommodations. Here in Maryland, both the Woodrow Wilson and the planned American Legion Bridge accommodate both pedestrians and bicyclists. We have an existing



span crossing the Potomac River in Charles County, we need to give every due consideration before removing it.

Transfer of ownership

MdTA indicated they were willing to transfer ownership to others but not keep it themselves. In no case have they indicated \$15-23 million in funds saved by not demolishing the existing span could be provided to the recipient to alleviate any remediation and upkeep. MdTA's estimate for future maintenance estimate appears substantially higher than the ongoing maintenance for a bridge currently carrying vehicular traffic. An independent evaluation as to the future upkeep for exclusive use by bikes and peds along with potential revenue increases due to cyclotourism and other utilization does not appear to have been balanced against the cost of the upkeep.

Scour concerns

MdTA states the existing piers must be removed to prevent bridge scour to the new piers. Yet MdTA also says they are and were willing to give the existing span to others thus the existing piers should remain. We recommend the stated scour concern be independently evaluated.

Environmental impacts and lack of evaluation

MdTA states the debris from the destroyed existing span will be used to create a fish reef. Per MdTA, the removal of the span also counts toward decreased impervious surface. However, the Sierra Club supports keeping the existing span, so the environmental benefits of destroying the span seem to be in doubt. These environmental impact claims should be re-evaluated in the independent study.

Other MdTA concern

MdTA expressed concern that people would not use the old bridge because of the slope while at the same time saying that bikers would happily ride on the new bridge, in traffic, with a similar slope. The slope is not dissimilar to the slopes of other successful trails in use all over the state,

Due consideration

Since the new span will safely carry vehicular traffic before the old span can be removed, there is no need for undue haste to destroy the existing span. An existing crossing of a major river should not be summarily discarded without appropriate and thorough consideration.

Sincerely,

The Maryland Bicycle and Pedestrian Advisory Committee Jonathan B. Morrison, Chair



References

<u>Hoyer, Cardin, Van Hollen Urge MDOT to Halt Demolition of Nice Bridge, Study Recreational Reuse Options | Congressman Steny Hoyer (house.gov)</u>

Maryland bike advocates, lawmakers want to save Potomac River bridge - The Washington Post

<u>Home | Governor Mario M. Cuomo Bridge (ny.gov)</u> – Run, Walk, Bike and Explore Explore-The Bridge Path | Governor Mario M. Cuomo Bridge (ny.gov)

<u>https://walkway.org/</u> - The Walkway over the Hudson – bridge conversion project